

APPROVED: Meeting No. 40-91

ATTEST: *Sharon A. Gran*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 38-91

October 28, 1991

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on October 28, 1991, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Viola D. Hovsepan

Councilmember James T. Marrinan

Councilmember David Robbins

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Another successful Rockville 10K Run was held this past weekend. Eight hundred runners participated in the early morning hours on Sunday, and this was the largest event in the 16-year history of the run.

2. Planning continues with respect to the dedication of Wootton Parkway on December 19.

3. This coming Friday morning is the Police Department's invitational meeting to businesses in the Rockville area; it is an informational meeting designed to share concerns about safety and police matters in the business community.

4. The public informational meeting on Tuesday, November 12, has been confirmed. The consultant will present the environmental study and respond to questions. Any questions should be provided in advance to the City Manager for transmittal to the consultant.

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Re: Recognition of students of
 Richard Montgomery High School,
 Rockville High School, Wootton
 High School and Walter Johnson
 High School who have been
 selected as semi-finalists in
 the National Merit Scholarship
 Program, the National Hispanic
 Scholar Awards Program and the
 National Achievement
 Scholarship Program for
 Outstanding Negro Students

The Mayor and Council presented Certificates to the following students in recognition of their selection as semifinalists in the National Merit Scholarship Program, the National Hispanic Scholar Awards Program and the National Achievement Scholarship Program for Outstanding Negro Students:

Richard Montgomery High School

National Merit Scholarship Program:

Jane Chah	Victor Chudnovsky
Rachel Fefer	Janice Ho
Charles Kauffunger	Jennifer Lee
Catharin Meadors	Rachel Moldover
Carissa Montgomery	Michael Montwill
Genevieve Williams	

**National Achievement Scholarship Program for Outstanding
 Negro Students:**

Traci Thompson	Sansula Williams
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National Hispanic Scholar Awards Program:

Rachel Fefer	Alda Maria Gonzaga
Carissa Montgomery	

Rockville High School

National Merit Scholarship Program:

Lisa Gezelter	Nathan Harshman
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**National Achievement Scholarship Program for Outstanding
 Negro Students:**

Demian Lewis

National Hispanic Scholar Awards Program:

Suzanne Goyena

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Wootton High School**National Merit Scholarship Program:**

David Curren

Jeannie Lee

Felice Lin

Megan O'Donnell

Michael Saginaw

Geoff Trotter

National Hispanic Scholar Awards Program:

Anna Castro

Clarissa Durham

Walter Johnson High School**National Merit Scholarship Program:**

Leah Brannon

Elizabeth Iannotti

Daniel Morenoff

Danny Rozas

Lara Simon

Cyrena Simons

National Achievement Scholarship Program for Outstanding Negro Students:
Norris Lewis (commended)**National Hispanic Scholar Awards Program:**

Yvette Beakes

Isabel Hernandez Cata

Re: Presentation of proceeds checks
in the amount of \$2,500 each
to the Rockville Sister City
Corporation and the Montgomery
County Special Olympics as
beneficiaries of the 1991
Oktoberfest

The Mayor and Council presented Montgomery County Special Olympics and Rockville Sister City Corporation with checks totalling \$2,500 each. Patti Gallagher, on behalf of Montgomery County Special Olympics, noted that a gold medal and several silver medals had been won recently by the County Special Olympics in the state championships.

Leah Barnett, on behalf of the Sister City Corporation, stated that the money would be used to further their wonderful programs, such as the student exchange which is currently taking place. She thanked Leo Leitner for organizing the volunteer efforts for the Oktoberfest celebration.

Re: Presentation of Certificates
to 14 students from the
Johannes Brahms Schule in
Pinneberg, Germany,
participants in the 1991
Pinneberg Student Exchange
trip

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The Mayor and Council presented Certificates to Karl-Friedrich Horn, the teacher from Johannes Brahms Schule and the leader of the student participants from Pinneberg, Germany. Mr. Horn presented gifts for the Civic Center Mansion Pinneberg Room from Gerhard Lanz. He then introduced the following students who were also presented with Certificates by the Mayor and Council: Bettina Bradfish, Verena von Garben, Sandra Gorny, Wolfram Keller, Carsten Krieg, Lars Millenet, Inga Nikel, Alexandra Osmers, Wiebke Schutt, Gesche Stampehl, Ulrike Thomsen, Maike Vermeulen, Claudia Walter, and Inken Wolff.

Re: Citizens' Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Amy Vachon, 3 Dairyfield Court, questioned why the City is pursuing permits for the Cabin John Lake project when the recently released consultant report recommends against the construction of the Cabin John Lake.

Mayor Duncan and the City Manager explained that the report is not complete until it has been presented by the consultant at the meeting of November 12. In the meantime, staff is continuing to answer questions posed by the regulatory agencies. Subsequent to the November 12 meeting, the Mayor and Council will review policy issues.

2. David Melnick, 518 New Mark Esplanade, as a member of the Planning Commission, addressed remarks made by Mayor Duncan concerning the Planning Commission which appeared in the October 24 edition of the Express.

3. William Kominers, Linowes & Blocher, referenced Text Amendment Application T-119-91. He requested clarifying language in the ordinance to ensure that applications which have been approved and are already in process are automatically covered under the new law.

4. Randy Slovic, 9 Dairyfield Court, referenced a letter received by the City of Rockville from the State Department of the Environment stating that portions of the

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City's mitigation proposal were unsatisfactory. She requested that this letter be made available to interested parties and was advised that all correspondence regarding this project is available to the public.

5. Bob Slovic, 9 Dairyfield Court, indicated that there is an interagency meeting scheduled for November 5 to review the Cabin John Lake project. He asked if the City could make arrangements for him, as a private citizen, to attend the meeting.

Staff advised that a decision as to City attendees has not yet been made. The City was encouraged by Mr. Slovic to make sure that the consultant who conducted the environmental study attends this meeting.

6. Mansfield Kaseman, 704 Carter Road, on behalf of Community Ministries, offered a word of thanks to Councilwoman Hovsepian for her years of faithful service to the City of Rockville. Councilwoman Hovsepian has been a reconciling and stabilizing influence and has been most sensitive to those in greater need. Rev. Kaseman noted that, oftentimes, Councilwoman Hovsepian's role transcended that of a policy maker, as she took on tasks such as painting the Jefferson House. He concluded by stating that he looks forward to working with Councilwoman Hovsepian as a member of the Rockville community.

7. Steve Abrams, 2290 Dunster Lane, wished Councilwoman Hovsepian well. He went on to discuss the City's purchase of the Hungerford-Stoneridge Swim Center and his concern that the City paid too much in this transaction. He read excerpts from a letter to him by the Vice President of a local financial institution in support of his contention.

Discussion followed regarding the qualifications of the letter writer and the fact that the City had obtained two independent appraisals of this property and had, in fact, purchased the property for less than the lowest appraisal.

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8. Randy Slovic, 9 Dairyfield Court, referenced the Hungerford-Stoneridge Swim Center and the fact that this property may be used as a stormwater management facility, thereby saving some of the City's wetlands.

9. Guy Poirier, President, Rockville Volunteer Fire Department, referenced issues with respect to the Office of Legislative Oversight Report, Financing Fire and Rescue Services and Related Activities. (This report recommends the establishment of a single fire tax district encompassing the entire County.) Among the issues raised by Mr. Poirier are the fact that the County has overcharged the Rockville Fire Tax District for personnel, that Rockville lost two positions (six personnel) in FY92 and would probably lose more positions in FY93. He concluded by stating that, at no point, did the Rockville district ever reach the rate to go into the consolidated tax district.

Councilmember Coyle commented that 50% of Rockville's man hours were volunteer hours and asked if anyone has looked at the unit cost for providing service in different districts. Mr. Poirier responded that Rockville has the lowest cost per call/incident of any of the County fire districts.

10. Amy Vachon, 3 Dairyfield Court, commented that Greenhorne & O'Mara, the City's contractor for Ritchie Parkway, also works with Tower Oaks. She encouraged the City to take representatives of Environmental Research and Planning to the meeting on November 5.

There being no other citizens wishing to be heard, the Mayor closed the Citizens' Forum portion of the meeting.

Re: Appointments

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Robert Bender was appointed to a one-year term as Chairperson of the Economic Development Council.

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Re: Approval of Minutes

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the minutes of Meeting No. 36-91 (October 14, 1991) were approved, as written.

Upon motion of Councilmember Robbins, duly seconded, with Mayor Duncan abstaining, the minutes of Meeting No. 37-91 (October 21, 1991) were approved, as written.

Re: Consent Agenda

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the following Consent Agenda items were approved:

- A. Award of Bid No. 45-92 for the replacement of roof system at the Rockville Senior Center to J.E. Wood and Sons Company, Inc., Upper Marlboro, Maryland, for the low bid amount of \$62,355.

The amount budgeted for this project is \$90,000.

- B. Introduction of Ordinance to adopt Text Amendment Application T-119-91, Rockville Planning Commission, Applicant.

This amendment would provide a greater amount of time to implement certain approved subdivision and land development applications.

Re: Receipt of September financial reports summarizing the results of City operations for the period July 1, 1991, through September 30, 1991.

Councilmember Marrinan had requested that this item (C) be removed from the Consent Agenda to provide residents with information regarding the financial status of the City in view of the current state and county problems. He quoted from a memorandum of the Finance Director as follows: "It appears that State funding to Rockville for

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police protection, franchise taxes and youth services will fall about \$86,000 short of the commitment made during the budget process. This is less than the \$113,000 previously reported because the General Assembly restored three-quarters of the Youth Services grant after the Governor had proposed to abolish it altogether. In addition, a \$5,000 County grant for the after-school day care program has been abolished." Therefore, according to staff analysis, the impact is that the City will lose about \$91,000 because of state and county problems.

Re: Presentation of Final Report
of the West End Traffic
Management Advisory Group.

In January 1991, the Mayor and Council appointed 32 West End residents to the West End Traffic Management Advisory Group. The group was formed in response to recommendations in the Implementation section of the West End-Woodley Gardens East/West Neighborhood Plan. The group has met on a monthly basis and has completed a report that details a traffic management program for the neighborhood.

Glennon Harrison, Chair of the West End Traffic Management Advisory Group, stated that the Neighborhood Plan was used as a guide to the issues, and the group attempted to formulate solutions that were consistent with this Plan. The group's report provides detailed recommendations with respect to four major problem areas, each of which was assigned to a subcommittee: traffic diversion, pedestrian and bicycle ways, truck and arterial traffic, and speeding and traffic enforcement.

Paul Williams reviewed the recommendations of the Traffic Diversion subcommittee, noting that traffic count data was used as the basis for the recommendations.

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A program is proposed consisting of three types of controls to be implemented, together or independently, with each type providing a particular degree of overall neighborhood protection. Eastbound controls apply turn restrictions that limit east-bound cut through opportunities during the morning rush hour; westbound controls consist of a combination of chokers and one-way restrictions that will eliminate west-bound cut-through traffic but continue to provide access to West End residents; and other controls include some localized measures that cure specific problems.

Marleen Nienhuis reviewed the recommendations of the Truck and Arterial Traffic subcommittee:

The Falls Road and West Montgomery Avenue interchanges with I-270 encourage the use of arterial roads in the West End by through traffic, including thousands of trucks each day. These include trucks carrying hazardous and explosive materials. Other major roads exist that could easily and safely carry truck and other vehicular traffic that now threatens the neighborhoods of the West End.

The City of Rockville should reclaim jurisdiction of West Montgomery Avenue and Great Falls Road from the State of Maryland in order to enable the City to better control the speed and amount of traffic which travels through our City.

Further, the City should ban all through truck traffic (which does not service the residential section of the West End) on West Montgomery Avenue, Great Falls Road and Maryland Avenue.

Additionally, the problem of speeding cars on Maryland Avenue was identified. Other devices to control speeding can be utilized, including installation of speed-activated stop lights which automatically change to red if the cars passing by exceed the posted speed limit.

Walt Davis, on behalf of the Speeding and Traffic Enforcement subcommittee, reviewed the following recommendations:

1. The West End Citizens Association should initiate a campaign to file

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official complaints about traffic violations based on the license number of the registered owner and/or visual identification of the driver. The Police Chief should be encouraged to respond to citizen complaints by continuing his letter writing campaign to reported violators.

2. (a) Lobby to amend state law to provide that municipalities get a greater portion of fines imposed with the additional money raised to go strictly for traffic safety projects;

(b) develop and support legislation to permit the installation of cameras at high traffic intersections designed to monitor traffic violations in such a way that valid tickets can be issued;

(c) enact a mandatory driver education program for violators who have two moving violations in a three-year period.

3. The Mayor and Council should free up police for stricter traffic enforcement by employing part-time help to enforce parking and pedestrian regulations in the downtown area.

4. The City should employ public relations techniques to improve traffic law enforcement in areas with high arrest rates.

5. The Mayor and Council should conduct a citywide poll on attitudes about traffic law enforcement and traffic safety. If the poll shows public concern about safety and speeding, the Mayor and Council should take action on the issues identified.

Bridget Donnell-Newton reviewed the recommendations of the Pedestrian and Bicycle Ways subcommittee as follows:

The sidewalk system should be improved to provide new sidewalks leading to schools and other facilities and to allow City residents to walk to Town Center and the Metro. The West End Neighborhood Plan provides an excellent basis for a sidewalk program.

The bike plan, as updated by the group, should be implemented as quickly as

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possible. The City should develop a program that encourages bike and bikeway education.

In conclusion, Glennon Harrison thanked staff for their assistance and all residents of this committee who worked so diligently in preparing the report.

A question and answer period followed where it was noted that staff will be reviewing the report, and a worksession will be held by the Mayor and Council with group members, the Traffic and Transportation Commission and the Planning Commission to discuss the ramifications of this report.

Councilmember Coyle thanked the committee for their efforts and asked how the neighbors may react to the "inconveniences" resulting from implementation of some of the recommendations. Mr. Harrison responded that a meeting was held in July to involve the wider community at which time concerns, suggestions and recommendations were expressed. The group used this feedback in developing the report. It was noted that the recommendation for controls on Nelson Street is solely to block traffic coming off of I-270 and was not meant in any way to penalize the residents of Woodley Gardens.

Discussion followed regarding the concept of speed traps, and Councilmember Coyle clarified that the City has never used speed traps and there is no effort to move in that direction.

The issue of heavy truck traffic and planned restrictions on Wootton Parkway was raised by Councilmember Robbins, and the City Manager responded that there are no restrictions on the new segment between Route 355 and Seven Locks inasmuch as federal funds were used for the bridge. However, from Seven Locks to Glen Mill, truck traffic is currently restricted and there are no plans to change this restriction.

The group, according to Mr. Harrison, is not recommending that trucks use the restricted portion of Wootton Parkway; however, they do feel that through good signage and use of other area highways, some of the truck traffic can be diverted from Town Center.

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Re: Discussion regarding meeting scheduled by Montgomery County Council Public Safety Committee on Thursday, November 14, 1991, concerning Legislative Oversight Report No. 91-3, Financing Fire and Rescue Services and Related Activities.

This report recommends the implementation of a single fire tax district encompassing the entire County which would result in a significantly higher fire tax for Rockville residents and businesses.

The purpose of this agenda item is to alert residents and staff that the County Council Public Safety Committee is receiving this report and starting the process leading to a decision on the fire tax district. Mayor Duncan requested that staff attend the worksession on November 14, and secure information as to the County Council meeting schedule and how the County will work through this decision. Mayor Duncan also asked staff to determine if public testimony is being accepted at the November 14 meeting. The City Manager noted that the City's position remains unchanged and he encouraged the Fire Department President to make comments. City staff will monitor this issue very closely.

Mayor Duncan outlined the City's plan of action as follows:

1. Determine the opportunities for public comment in this process; and
2. Send letter to previous mailing list setting forth the recommendations contained in the Office of Legislative Oversight Report and requesting attendance at worksession.

Councilmember Coyle emphasized the importance of highlighting the cost of service. With the City's unit cost significantly less than the rest of the County, it is unfair and unconscionable to double the City's tax rate. Rockville is always willing to pay its fair share, and the County should not look to Rockville to balance its budget.

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Mayor Duncan offered congratulations to Jack Ferguson on his election as Chief.

Re: Approval of projects and funding levels to be submitted in the Community Development Block Grant Application to Montgomery County.

It is estimated that the City will receive \$280,000 in CDBG funds through Montgomery County in fiscal year 1993.

The City Manager noted that this is the package recommended subsequent to the public hearing in this matter. Councilmember Hovsepian was advised that the anticipated \$280,000 to be received next fiscal year is an increase from the \$249,000 received in the current fiscal year.

Upon motion of Councilmember Hovsepian, duly seconded, with Mayor Duncan abstaining as he had not been present at the public hearing, the projects and funding levels recommended for submission in the Community Development Block Grant Application to Montgomery County were approved.

Re: FYI/Correspondence

Anchorage, Alaska Flower Plantings

Mayor Duncan asked staff to review Anchorage's program and compare it with the City's program of plantings. He also requested that the City's future plans be included in this review.

Letter from Dorothy Perreca

Councilmember Coyle stated that he was pleased that Ms. Perreca has agreed to serve as Chairperson of the Animal Matters Board.

Re: New Business

Councilmember Marrinan attended the general forum meeting of RCOCA (Rockville Common Ownership Communities Association) on October 22. This umbrella group is for

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dispute resolution in common areas and assistance with purchasing and contract vendors. He thanked Tom Curtis who serves as President and the Board members. Volunteerism is alive and well in Rockville.

Mayor Duncan noted that they would be hearing their first dispute soon.

Councilmember Marrinan requested a staff analysis on behalf of constituents for a teenage program for after school and weekends inasmuch as there is no social activity center for teens. If some unused space could be made available for a center, the cost to the City would be minimal. Staff was requested to look into this matter.

Councilmember Coyle referenced the Lincoln Park reception to be held on November 10 from 2:00 to 4:00 p.m. welcoming new County Police Chief Clarence Edwards.

The Public Lecture series sponsored by the Advisory Commission on Public Education last month received positive feedback according to the recently received report.

Mayor Duncan referenced a housing discrimination workshop being held by the NAACP Branch for Montgomery County at Mt. Calvary Baptist Church on Saturday, November 9, from 9:00 a.m. to 1:00 p.m. to which all members of the Council and public are invited.

The Rockville Football League is having a good year, and parents have asked about expanding flag football into two groups, essentially adding a new, older member flag league. Mayor Duncan requested that staff look into this proposal, discuss same with the RFL and get information back to the Mayor and Council.

Mayor Duncan noted that this is Councilmember Hovsepian's last meeting and thanked her for her service to the City. She has been a tremendous resource and a strong advocate and will certainly be missed during the next term. A ceremony and other activities are being planned for her.

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Councilmember Robbins wished Mrs. Hovsepien well, commenting that the Council owes Mrs. Hovsepien a great deal and will not be the same without her. She may become the City's most sought after volunteer.

Councilmember Hovsepien and her husband, Dick, invested 35-40 years of service to the community, and Councilmember Coyle stated that it was because of Mrs. Hovsepien that he became involved with the City government. She has been the conscience of the community and Council at the same time.

It was at Mrs. Hovsepien's urging that Councilmember Marrinan also became involved in the Alliance of Rockville Citizens and, subsequently, the City Council. He too thanked Councilmember Hovsepien for her outstanding service to the City.

Councilmember Hovsepien thanked the Mayor and Council, City staff and all the citizens who gave her an opportunity to serve. She noted that this service has been a learning experience and she feels she has achieved much more because of the opportunity given her to serve.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:38 p.m., to convene again in General Session at 8:30 p.m. on November 18, 1991, or at the call of the Mayor.